

Mail Stop: PETITION  
PATENT  
6501-1049

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Bryan Barker SPEIGHT Conf. 2390  
Application No. 10/535,149 Group 3771  
Filed January 6, 2006 Examiner C. Ostrup  
DEVICE FOR ENHANCING WELL-BEING

**PETITION TO REVIVE UNDER 37 CFR §1.137(b)**

Assistant Commissioner for Patents January 13, 2010  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Withdrawal of the holding of abandonment in the above-identified application pursuant to 37 CFR §1.137(b) is respectfully requested.

Petitioner hereby states that the entire delay in filing the required reply from the due date for the reply of the Official Action mailed June 12, 2009 to the date of filing of a grantable petition pursuant to 37 CFR §1.137(b) was unintentional.

It is respectfully requested that the above-identified application be revived for the purpose of gaining co-pendency with a continuation-in-part application, which is being filed this same day. A copy of the transmittal form for the continuation-in-part application accompanies this petition.

The above-identified application is to be abandoned only after a filing date has been granted to the continuation-in-part application filed on this same day.

The required requisite 37 CFR 1.17(m) petition fee for a small entity in the amount of \$810 are being paid online simultaneously herewith by credit card. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to the Deposit Account No. 25-0120.

In view of the above, it is respectfully requested that the above identified application, which unintentionally abandoned, be revived under the provisions of 37 CFR 1.137(b), and the accompanying continuation-in-part application be entered.

Respectfully submitted,

YOUNG & THOMPSON

/Robert A. Madsen/

---

Robert A. Madsen, Reg. No. 58,543  
209 Madison Street, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

RAM/hc